

HONORABLE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HERLINDO OROZCO,

Plaintiff,

vs.

TRIDENT SEAFOODS CORPORATION,  
ISLAND ENTERPRISES, INC., and TT  
ACQUISITION, INC. *IN PERSONAM*; and  
the F/V ISLAND ENTERPRISE O.N. 610290  
AND HER ENGINES, TACKLE, GEAR,  
APPAREL, AND EQUIPMENT, *IN REM*,

Defendants.

IN ADMIRALTY

Civil Action No.: C04-1561M

**STIPULATED MOTION TO EXTEND  
DISCOVERY DEADLINES**

NOTE ON MOTION CALENDAR:

COME NOW the parties, by and through their counsel of record, and jointly move the Court for an order extending certain dates set forth in the Court's Order Setting Trial Date and Related Dates, dated January 6, 2005. The undersigned have conferred and advise the Court that they are in agreement concerning the requested extensions.

Specifically, the parties request that the following dates be continued and extended as follows:

1. Reports from expert witnesses under FRCP 26(a)(2) to be extended from June 16, 2005 to August 15, 2005.

(C04-1561M) STIPULATED MOTION TO  
EXTEND DISCOVERY DEADLINES - 1

LAW OFFICES OF  
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2. Filing of all motions related to discovery to be extended from July 15, 2005 to August 29, 2005.

3. Completion of discovery to be extended from August 15, 2005 to September 26, 2005.

4. Filing of all dispositive motions extended from September 14, 2005 to October 17, 2005.

### **DISCUSSION**

This Jones Act seaman's personal injury action was brought by a California resident for injuries he allegedly sustained while working aboard a fishing vessel in Alaska. Discovery has been slowed by the plaintiff's location and the availability of various fact witnesses as many of the prospective fact witnesses are fishermen who live and work outside of this district. Despite the parties' diligent efforts to complete discovery within the current case schedule, it now appears evident that additional time to complete discovery is needed. The additional discovery time will enable the parties to fully evaluate all claims and defenses, thus narrowing contested factual and legal issues, and facilitating meaningful settlement discussions. No change to the trial date is requested.

Therefore, the parties hereby stipulate that the remaining discovery deadlines should be enlarged and the trial date continued as set forth above.

DATED this 8<sup>th</sup> day of June, 2005.

STIPULATED and AGREED:

NICOLL BLACK MISENTI & FEIG PLLC

/s/ Christopher W. Nicoll  
CHRISTOPHER W. NICOLL, WSBA No. 20771  
Attorney for defendant Trident Seafoods Corporation.

GINSTER WEBB *\*per email authorization 05/31/05*

/s/ Christopher W. Nicoll for Anthony Ginster  
ANTHONY GINSTER, WSBA No. 19310  
Attorney for plaintiff Herlindo Orozco

**ORDER**

PURSUANT TO THE ABOVE STIPULATION, THE COURT DOES HEREBY **ORDER** THAT certain dates set forth in the Court's Order Setting Trial Date and Related Dates, dated January 6, 2005, shall be continued and extended as follows:

1. Reports from expert witnesses under FRCP 26(a)(2) to be extended from June 16, 2005 to August 15, 2005.
2. Filing of all motions related to discovery to be extended from July 15, 2005 to August 29, 2005.
3. Completion of discovery to be extended from August 15, 2005 to September 26, 2005.
4. Filing of all dispositive motions extended from September 14, 2005 to October 17, 2005.

DATED this 8th day of June, 2005

/s/ Ricardo S. Martinez  
THE HONORABLE RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

PRESENTED BY:

NICOLL BLACK MISENTI & FEIG PLLC

/s/ Christopher W. Nicoll  
CHRISTOPHER W. NICOLL, WSBA No. 20771  
Attorney for defendant Trident Seafoods Corporation.

GINSTER WEBB *\*per email authorization 05/31/05*

/s/ Christopher W. Nicoll for Anthony Ginster  
ANTHONY GINSTER, WSBA No. 19310  
Attorney for plaintiff Herlindo Orozco